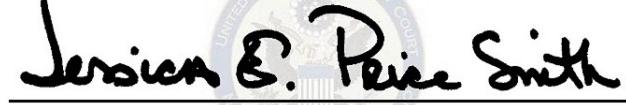


IT IS SO ORDERED.

Dated: 7 August, 2025 05:14 PM



Jessica E. Price Smith

CHIEF JUDGE JESSICA E. PRICE SMITH
UNITED STATES BANKRUPTCY COURT

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

IN RE JASON DICKS

Debtor

CASE No. 25-11336

JUDGE PRICE SMITH

CHAPTER 11

SUBCHAPTER V

**ORDER GRANTING DEBTOR'S MOTION FOR AN ORDER ESTABLISHING THE PROCEDURES FOR
SOLICITATION AND TABULATION OF VOTES TO ACCEPT OR REJECT THE DEBTOR'S PLAN OF
REORGANIZATION AND TO SET DATES RELATED THERETO**

This matter coming before the Court on the motion of Melt Bar and Grilled, Inc. the Debtor-in-Possession herein ("Debtor") for an Order Establishing the Procedures for Solicitation and Tabulation of Votes to Accept or Reject the Debtor's Plan of Reorganization and to Set Dates Related Thereto [Doc. 109] (the "Motion"), in which the Debtor requests a entry of an order pursuant to section 1126 of the Bankruptcy Code, 11 U.S.C. §§ 101-1330, and Rule 3017.2 of the Federal Rules of Bankruptcy Procedure, for an Order establishing the procedures for solicitation and tabulation of votes to accept or reject the Debtor's Plan of Reorganization (as it may be amended, the "Plan") and to set dates related thereto.

No opposition to the Motion having been filed the Motion is GRANTED on the following. The following dates are hereby set for the consideration of confirmation of the Debtor's Plan:

<u>Event</u>	<u>Proposed Date</u>
Solicitation Commencement Date	August 15, 2025
Voting Deadline for the Plan	September 19, 2025
Deadline to File Ballot Tabulation	September 26, 2025
Deadline to Object to Confirmation	September 26, 2025
Deadline to Respond to Objections to Confirmation and to file Confirmation Brief and Other Evidence Supporting the Plan	October 3, 2025
Confirmation Hearing	October 21, 2025 at 10:30 AM

Solely for purposes of voting to accept or reject the Plan and not for the purpose of the allowance of, or distribution on account of, a claim and without prejudice to the rights of the Debtor in any other context, the following voting procedures and requirements are hereby established:

1. The amount of a claim that will be used to determine votes for or against the Plan will be either: (a) the claim amount listed on the schedules of liabilities filed with the Court unless such claim is listed on the schedules of liabilities as contingent, unliquidated, or disputed; (b) the liquidated amount specified in a proof of claim timely filed with the Court that is not the subject of an objection; (c) the liquidated amount specified in a final order. If the holder of a claim submits a Ballot, but such holder has timely filed a proof of claim and: (a) such holders' claim is listed on the schedules of liabilities as contingent, unliquidated, or disputed; and (b) such holder's claim is the subject of an objection, the Ballot will not be counted for purposes of determining acceptances or rejections of the Plan, in accordance with Rule 3018, unless the Bankruptcy Court has temporarily allowed the claim for the purpose of accepting or rejecting the Plan in accordance with Bankruptcy Rule 3018.
2. Whenever a holder of a claim casts more than one Ballot voting the same claim prior to the Voting Deadline, the latest Ballot received by the Voting Agent prior to the Voting Deadline will be deemed to supersede and revoke any prior Ballot.

3. Holders of claims must vote all of their claims within a particular class either to accept or reject the Plan and may not split their votes. Accordingly, the Debtors will treat as an acceptance any Ballot (or multiple Ballots with respect to multiple claims within a single class) that partially rejects and partially accepts the Plan.

4. Ballots that fail to indicate an acceptance or rejection of the Plan, but which are otherwise properly executed and received prior to the Voting Deadline, will be tabulated as an acceptance unless the claim on which the Ballot is cast is the subject of an objection or is listed on the Debtor's schedules as contingent, unliquidated, or disputed.

The solicitation package, comprised of the materials required to be provided to holders of claims and equity interests under Bankruptcy Rule 3017(d), will be mailed to such parties. Specifically, the Debtor will mail, or cause to be mailed, solicitation packages containing copies of: (a) the Plan (b) the class ballots, and (c) the confirmation hearing notice including the ballot deadline and objection deadline, a form of which is attached hereto as Exhibit A. Solicitation packages will be mailed to: (a) all persons or entities that have filed proofs of claim on or before the Record Date; (b) all persons or entities listed in the schedules of liabilities as holding a- liquidated, noncontingent, undisputed claims as of the Record Date; (c) all other known holders of claims against or interests in the Debtors, if any, as of the Record Date; (d) all parties in interest that have filed a notice in accordance with Bankruptcy Rule 2002 in the Debtor's chapter 11 case on or before the Record Date; (e) the Subchapter V Trustee; and (e) the Office of the United States Trustee.

The Notice of the Confirmation hearing attached as exhibit A is approved.

The Form of Ballot attached as exhibit B is approved.

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Prepared by:
/s/ Frederic P. Schwieg, Esq.

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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

IN RE JASON DICKS

Debtor

CASE No. 25-11336
JUDGE PRICE SMITH
CHAPTER 11
SUBCHAPTER V

**NOTICE OF VOTING DEADLINE, OBJECTION DEADLINE, AND
HEARING TO CONSIDER CONFIRMATION OF DEBTOR'S CHAPTER 11 PLAN**

PLEASE TAKE NOTICE THAT on June 30, 2025, debtor and debtor-in-possession Jason Dicks (the “Debtor”) filed with the Court its proposed plan of reorganization under subchapter V of Chapter 11 of the Bankruptcy Code (Docket No. 39) (the “Plan”).

A hearing on the confirmation of the Plan (the “Confirmation Hearing”) is set for **October 21, 2025, at 10:30 a.m.** at the United States Bankruptcy Court, Howard M. Metzenbaum United States Court House, 201 Superior Avenue, Courtroom 2B Cleveland, Ohio 44114 before the Honorable Jessica E. Price Smith.

PLEASE TAKE FURTHER NOTICE THAT your rights may be affected. You should read the Plan carefully and discuss it with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

PLEASE TAKE FURTHER NOTICE that the last day for filing a Ballot (if you are the holder of a claim or interest in a class entitled to vote on the Plan, your ballot has been enclosed with the delivery of the Plan) is **September 19, 2025** (the “**Balloting Deadline**”). If you wish to vote on the acceptance or rejection of the Plan, you must deliver your completed Ballot so that it is *received* on or before the Balloting Deadline. Ballots are to be delivered to the following address by mail, fax or e-mail:

Frederic P. Schwieg
Attorney at Law
19885 Detroit Road #239
Rocky River, OH 44116
fschwieg@schwieglaw.com

PLEASE TAKE FURTHER NOTICE that if no votes or objections to the Plan are received in a particular class, the Debtor intends to ask the Bankruptcy Court to deem such class to have accepted the Plan.

PLEASE TAKE FURTHER NOTICE that if you do not want the court to approve the Plan, or if you want the court to consider your views on the Plan, then on or before September 26, 2025, you or your attorney must:

File with the court a written response setting forth the specific grounds for objection, either electronically via the Court's Electronic Case Filing System ("ECF"), or by mailing it to the Clerk at:

Clerk, United States Bankruptcy Court, Howard M. Metzenbaum United States Court House, 201 Superior Ave, Cleveland, Ohio 44114

If you mail your request/response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

If you or your attorney do not take these steps, the court may decide that you do not oppose the Plan and may enter an Order confirming the Plan and granting the relief requested.

Dated: July 30, 2025

Respectfully submitted,

/s/ Frederic P. Schwieg, Esq.
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Counsel for the Debtor

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE JASON DICKS

Debtor

CASE No. 25-11336
JUDGE PRICE SMITH
CHAPTER 11
SUBCHAPTER V

BALLOT

**PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE
YOUR ACCEPTANCE OR REJECTION OF THE PLAN**

Creditor Name _____.

(Check one box only)

ACCEPTS the Plan

REJECTS the Plan

Name of Voter: _____
(Print or Type)

Signature _____
By: _____
(If Appropriate)

Title: _____
(If Appropriate)

Address: _____

Telephone Number: _____

Date Completed: _____

RETURN THIS BALLOT TO:

Frederic P. Schwieg; Attorney at Law
19885 Detroit Road #239
Rocky River, OH 44116
(440) 499-4506
fschwieg@schwieglaw.com

Attorney for Debtor

ECF Service

David J. Coyle on behalf of Creditor Zeppes Tavern Franchise LLC
dc Doyle@shumaker.com, acrosby@shumaker.com

David J. Coyle on behalf of Creditor Cassie Ciresi
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David J. Coyle on behalf of Creditor Joe Ciresi
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Daniel J. Feko on behalf of Creditor Citizens Bank, N.A.
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Patricia B. Fugee
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Richard John LaCivita on behalf of Creditor Lakeview Loan Servicing, LLC
bknotice@reimerlaw.com, rlacivita@ecf.courtdrive.com

Spencer Lutz on behalf of U.S. Trustee United States Trustee
spencer.lutz@usdoj.gov

Frederic P. Schwieg on behalf of Debtor Jason James Dicks
fschwieg@schwieglaw.com